

Summary Minutes of the CASAC Teleconference Consultation on EPA's Project Work Plan for Revised Air Quality Criteria for Ozone and Related Photochemical Oxidants

February 6, 2003, Ariel Rios Building, Washington D.C.

Panel Members: See Roster – Attachment A.

Date and Time: 10:00 A.M. to 1:00 P.M., February 6, 2003.

Location: Conference Room 6013, U.S. EPA, Ariel Rios Building North, 1200 Pennsylvania Avenue, NW, Washington, DC 20004.

Purpose: The purpose of this meeting was for the CASAC to conduct a consultation with EPA on the Project Work Plan for Revised Air Quality Criteria for Ozone and Related Photochemical Oxidants.

Attendees: Chair: Dr. Philip Hopke

CASAC Members: Dr. Frederick Miller
Mr. Richard Poirot
Dr. Frank Speizer
Dr. George Taylor
Dr. Sverre Vedal
Dr. Barbara Zielinska

EPA SAB Staff: Mr. Fred Butterfield, DFO
Mr. Robert Flaak

Other persons attending:

Robert Chapman, U.S.EPA, National Center for Environmental Assessment (NCEA)
Beverly Comfort, U.S.EPA, National Center for Environmental Assessment (NCEA)
Rob Elias, U.S.EPA, National Center for Environmental Assessment (NCEA)
J. H. B. Garner, U.S.EPA, National Center for Environmental Assessment (NCEA)
Lester Grant, U.S.EPA, National Center for Environmental Assessment (NCEA)
Brooke Hemming, U.S.EPA, National Center for Environmental Assessment (NCEA)
Joseph Pinto, U.S.EPA, National Center for Environmental Assessment (NCEA)
Jim Raub, U.S.EPA, National Center for Environmental Assessment (NCEA)

John Langstaff, U.S. EPA, Office of Air Quality Planning and Standards (OAQPS)
Karen Martin, U.S. EPA, Office of Air Quality Planning and Standards (OAQPS)
David McKee, U.S. EPA, Office of Air Quality Planning and Standards (OAQPS)
Harvey Richmond, U.S. EPA, Office of Air Quality Planning and Standards (OAQPS)

Katie Crane, American Forest and Paper
Cindy Langworthy, Hunton & Williams
Will Ollison, American Petroleum Institute

Gene Renee, U.S. Department of Energy
Jenea Scott, Environmental Defense
Deborah Shprentz, American Lung Association
Ron White, Johns Hopkins University

Meeting Summary

The Discussion generally followed the issues and general timing as presented in the meeting Agenda (Attachment B). The meeting lasted until 12:30 P.M.

Introductions and Administration

Mr. Fred Butterfield, Designated Federal Officer (DFO) for the Committee, opened the meeting and asked participants to introduce themselves, as well as state their names for the record before speaking. He added that minutes from the meeting would be posted on the Science Advisory Board (SAB) web site, and a transcript would be available upon request. He briefly reviewed the meeting agenda and asked that public comments be limited to three minutes due to the limited time available.

Purpose of Meeting

Dr. Philip Hopke, chair of the Clean Air Scientific Advisory Committee (CASAC) summarized the purpose of this consultation meeting. The U.S. Environmental Protection Agency (EPA) is beginning the process of reviewing the National Ambient Air Quality Standards (NAAQS) and preparing a revised criteria document. The discussion will center primarily on the general parameters of the document. Some concerns have been raised in the last year that this committee's role in consultations may prevent the impartial review of the resulting final document(s). The CASAC must therefore use caution in the amount and type of advice it provides. No consensus report will be prepared as a result of today's meeting. Instead, members will provide individual opinions and initial guidance, to help in producing a draft document that is ready for review. Committee members cannot provide explicit direction, as doing so may compromise their role of objective reviewers. Their advice and comments should be viewed as the insight of experts in the field, which may benefit the workgroup as it begins its implementation of this work plan.

Mr. Robert Flaak, Acting Deputy Director of the SAB Staff Office, added that, although the purpose of a consultation is as stated by Dr. Hopke, the SAB does follow a formal process in review panel formation, which includes adding members to expand the review board. Committee members should not be concerned the same group will be reviewing this document in the future.

Mr. Hopke cautioned that, despite that precaution, only the CASAC members are able to vote during a review.

Highlights of Ozone Air Quality Criteria Document development Plan by EPA Staff, with Discussion by CASAC Members

Dr. Lester Grant, Director of the Office of Research and Development (ORD) National Center for Environmental Assessment (NCEA), summarized the effort that led to the current document development plan. The ozone and related photochemicals NAAQS were last revised in 1997, and periodic review of criteria has taken place since that time. Of most note is the addition of the 0.08 ppm 8-hour ozone standard and particulate matter (PM) maximum standard. Efforts have focused on a review of both the ozone and PM standards, although PM is the highest priority. The ozone document review has been delayed by unexpected developments relating to PM; the document for review today was released as part of the November 2002 version. A series of workshops is planned for the next several months, as is preliminary review of the draft document. Dr. Grant continued by highlighting some of the main aspects of the document. The general flow of information is organized to correspond to the Agency's risk assessment paradigm. In addition, the recently released report by the SAB's Ecological Processes and Effects Committee (EPEC) will be used as a framework to reorganize the discussion in Chapter Four. The chapter discusses effects at the level of biochemical and physiological processes, and continues on to the effects on natural ecosystems. Following the environmental effects chapter, the report moves on to health issues with a discussion of various health endpoints. Chapter Six focuses on controlled human exposure studies, and Chapter Seven on epidemiology studies of relevance to the primary standards. The workgroup hopes to move the document along quickly and submit it for CASAC review by the fall of 2003. The priority for today's discussion is the criteria document.

CASAC Members' Discussion

Members agreed to move through the document sequentially with discussion and comments on each section.

Dr. Hopke began by commenting on the proposed schedule on page 5. A notice of intent to sue has been filed with the Administrator by a consortium of environmental groups. Although no suit has been filed yet, such an action may result in a court-ordered deadline and disrupt the time schedule proposed. Working under a mandated timeline may not leave the group with enough time to produce a document which reflects the best understanding of all the science available.

Dr. Karen Martin added that the Agency is considering its response, but has not yet made a decision.

Dr. Hopke suggested moving with the process as planned until more is known.

Dr. Frank Speizer commented that reports tend to be more encyclopedic and less restrictive, and asked whether some redundant sections could be omitted.

Dr. Hopke replied that some of that information could be included as appendices. However, it is critical that these appendices be reviewed along with the main document. A leading viewpoint, in keeping with the model used by National Academy of Sciences (NAS) reports, is to include all the pertinent references in a criteria document as an appendix.

Dr. Grant stated that statutory language dictates that criteria reflect the latest science on the health effects expected from the presence of pollutants in ambient air. Past experience with criteria development has shown that the Agency needs to show that all available information was taken into account.

Dr. Miller asked whether citing a previous document would be sufficient, as it is repetitive to discuss in full research that has already been analyzed in an earlier version. This also lengthens the process, as time has to be spent revisiting information that has already been accepted scientifically.

Dr. Grant replied that an attempt to cite an earlier document was made with the PM report, where only a concise summary of previously accepted science was provided in each chapter. Ultimately, more information had to be integrated into the report. Continued efforts are made to draw some conclusions regarding how much of the existing knowledge should be reviewed in a new document.

Dr. Sverre Vedal agreed with the need to be selective about which existing articles to discuss in a new report. He suggested developing explicit criteria that would increase the transparency of how these selections are made.

Dr. Hopke moved the discussion on to specific topics addressed in the report, beginning with the section on health effects.

Dr. Vedal noted there were some discrepancies between issues that are emphasized in this section and those in the table of contents of the criteria document.

Dr. Grant explained that the first section (Section A) summarizes the human health effects information presented in the 1996 criteria document. Section B presents a similar summary of ecological effects. Section C lists the major issues that have been identified for discussion in the preparation of the new document. He added that the team would be interested in hearing of any major issues that may have been missed.

Dr. Vedal clarified that no major issues were missed; rather, several smaller topics listed in the document's table of contents were not included in Section C.

Dr. Miller commented that Section C was a result of deliberation and discussions between ORD and OAQPS. Dr. Grant confirmed that such a discussion had, indeed, taken place to identify key issues.

Dr. Hopke moved on to page 10 (within Section C) and described the approach used in preparing these documents. The discussion covers the origin of pollutants and their atmospheric processing; concentration distributions; ecological and environmental issues; and issues of human exposure, toxicology, and epidemiology. He recommended that discussion focus on identifying important topics that may not be sufficiently emphasized – recognizing at the same time that a more comprehensive list of topics is presented in the table of contents. He began by soliciting members' comments on the topic of ozone photochemistry.

Dr. Barbara Zielinska suggested it might be useful to discuss ozone in relation to other oxidants, such as OH radicals, as ozone can be a precursor to these compounds. Biogenic emissions should also be discussed, especially their importance relative to ozone formation.

Dr. Hopke commented that the original air quality document was prepared for all photochemical oxidants, adding that ozone is being used as a surrogate for this group of compounds.

Dr. Joseph Pinto, of EPA's ORD-NCEA, informed participants that a workshop would be held in the next month at the University of Maryland to discuss the relationship between ozone and other oxidizing chemicals. He added that a judgment call may need to be made about the reliability of using ozone as the surrogate for the entire group of compounds.

Dr. Grant stated that the workgroup would take steps to highlight this as a topic to be dealt with in the document.

Dr. Vedal suggested that the spatial distribution of ozone concentrations across the United States should be included in this session – although some discussion of this is also present in an appendix.

Dr. Hopke remarked that the distribution of other chemicals has been included, but agreed that ozone must also be part of the section.

Dr. Grant agreed, and stated that the ozone distribution would be included.

Dr. Richard Poirot suggested also discussing the relative effects of wildfires in ozone production.

Dr. Hopke moved the discussion on to the section on environmental effects related to ozone.

Dr. George Taylor commented that, although the organization used in this section is a comprehensive way of covering all the issues in an academic environment, it does not directly focus on how each of the issues relates to risk. A risk-based approach may be a

more effective way of organizing this section. Such an approach was used to prepare the SAB's EPEC report last year.

Dr. Hopke explained that this review comes late in the process of developing this document, relative to when it was originally put together. He added that it may be useful if the workgroup could provide a short supplemental work plan to reflect how a different framework would reorganize the document.

Dr. Grant commented that the effort spent in creating such a supplement may be better directed toward the report itself. Reorganizing the report at this stage would be awkward. The report presents ecological attributes to the extent that they are known; for some attributes, the effects are also known. Discussion identifies some of those attributes affected by ozone; characterizes dose- or exposure-response relationships; and begins to address the risk framework. Whether to contribute further to the risk discussion is a policy decision – it can be done in general terms, but not for specific topics, such as ecosystems or areas of the country.

Dr. Hopke added that valuation of ecosystem functions is another issue to be considered. Background should be provided on the evolving science of ecosystem valuation.

Dr. Taylor responded that the EPEC report provides a suitable framework as well as discussing sustainable goods and services independently. Organizing information in a different manner than in the past would move the process away from the “academic” approach, which produces large volumes of materials. He added that reorganizing the entire chapter may not be feasible, but that the framework of the EPEC report could be considered as a way of organizing the information.

Dr. Miller asked whether the last chapter, on elements of ecological and health effects, could be reorganized as suggested by Dr. Taylor.

Dr. Taylor replied that it is important to state at the beginning of the document that a risk-based approach is used and clarify the direction of the document up-front.

Dr. Grant stated that the workgroup would attempt to draw from and use some of the conceptual elements from the EPEC report to reorganize some of the information. The report will include discussion on organism condition and other attributes affected by ozone, as well as on increasingly complex levels of organization, from species to populations and ecosystems.

Dr. Garner commented that a criteria report from 1978 led to a lawsuit to ensure that EPA did not write a document aimed at determining what the standards should be. Aiming this document at risk is a policy decision, and this report is a scientific – not policy – document.

Dr. Grant added that the intent in producing this document is to provide as much of the scientific information as possible for use in developing guidelines. Issues such as understanding economic effects on agriculture, for example, will be included.

Dr. Hopke recommended that the workgroup consult with economics representatives in order to complete that section of the report.

Dr. Grant agreed, and added that a section on monetizing ecosystem products and services would be revised to include new information since the last document.

In response to a question, Dr. Hopke asked committee members to send editorial or minor comments to Mr. Fred Butterfield for distribution.

Action Item

- Specific comments on the report should be submitted to Mr. Fred Butterfield, who will distribute them to the workgroup.

Dr. Poirot suggested adding some discussion on the concept of elevation gradient in ozone exposure for plants – due to a difference in ozone concentration. Similar to the diurnal gradient, this has the potential to affect physiological processes in different ways.

Dr. Grant agreed, and stated that he would take steps to include that information.

Dr. Hopke asked the members to move on and discuss the section on health effects.

Dr. Vedal suggested that a distributional approach should be taken in regards to human exposure, comparing the minimum versus the maximum personal concentration. Also, the wording describing respiratory disease is somewhat confusing – specific histopathology should be used as an outcome. Some discussion on ozone interaction with allergens should be included. Finally, the effects of antioxidant supplementation on the effects of ozone should be addressed, as more literature on this topic is now available.

Dr. Speizer pointed out that there was some overlap in the discussion of exercise performance, as there is no separate section in the report to deal with this topic.

Dr. Miller recommended a change in the outline to better organize discussion, e.g. on symmetry, that is scattered among more than one chapter. Items that should be added include human activity patterns and their influence on potential health effects; and a discussion of sensitive sub-populations such as children and individuals with COPD.

Dr. Hopke suggested using an approach parallel to the one used in the PM document – discussing exposure, dosimetry, toxicology, and epidemiology – in order for the section to have a more consistent flow. It would also be helpful to include any data on ozone relative to coarse particulates – rather than simply PM₁₀ – as a co-pollutant.

Dr. Grant agreed that these were helpful suggestions, and added that the group would add information on ozone-allergen interaction and dosimetry.

In response to a question by Dr. Miller, Dr. Grant added that this document would be shorter in length than the 1996 document, as there is not as much new information on ozone as there was on particulate matter.

Dr. Speizer noted that the list of consultants used in the document should be updated.

Public Comment Period

Ms. Deborah Shprentz presented comments on behalf of the American Lung Association:

New research has enhanced the understanding of the health effects of ozone as well as raised new concerns. Epidemiology studies have identified endpoints such as brain damage and various other disorders. Some of the relevant studies have been summarized and provided as an annotated bibliography to the EPA committee reviewing this report. Section Four of the work plan makes a good effort, but should include a discussion of the health effects suggested by these new studies. In addition, the proposed contents should be broad enough to allow discussion of the health endpoints suggested by new research. The American Lung Association urged EPA to update and expand its list of outside consultants and reviewers, including the primary authors of some of the studies listed in the bibliography mentioned above. Regarding the report's timeline, deadlines mandated by the Clean Air Act have now passed for the revision of these standards. EPA must therefore develop an accelerated work plan and schedule, to include all steps in the standards review process.

Mr. Butterfield stated that a copy of the American Lung Association comments have been distributed to members of the CASAC and to Dr. Grant, as was an additional letter dated February 15, 2002, and the annotated bibliography (see Attachment D).

Dr. Grant added that the workgroup will be reviewing the bibliography to assure the research studies listed have been considered and/or included.

Mr. Will Ollison presented comments on behalf of the American Petroleum Institute:

Information on quantitative risk assessment used in this report should be based on key input data. There will be new models available to provide such data, one of which uses a wholly new approach to evaluate ventilation rate – a key parameter in risk assessment. The impact of this new approach will be rates that are comparable to real-life values. The second model will be a dose-response model, which should also be mentioned and included in the criteria. Two problems with the last risk assessment were the development of outdoors children's risk, and of exposure responses based on breathing rate, i.e., the number of persons in low ventilation rates was much larger than that of persons in high ventilation rates.

Mr. Butterfield stated that the American Petroleum Institute's two-page letter, as well as a forty-two page appendix on ozone health effects, have been forwarded to CASAC members and to Dr. Grant (see Attachment E). He added that all comments would be entered into the permanent record.

Summary and Next Steps

Dr. Hopke stated that, as the workgroup moves toward the writing phase, the CASAC will need to form a review panel. He added that CASAC members could assist by nominating persons with appropriate and related expertise. The panel that reviewed the last ozone document will also be called to meet in April 2003 to review the ozone "research needs" document – the culmination of the last round of ozone standard-setting.

Action Item

- Dr. Hopke will send a call for review panel nominations to CASAC members shortly.

Dr. Grant added that the meeting of the CASAC review panel would take place in May 2003, and asked whether it would be a meeting or teleconference.

Dr. Hopke replied that it would be an in-person meeting to bring the new panel together. Scheduling may be difficult, however, so a teleconference in April may be an alternative. He added that he would discuss with Dr. Grant the most expeditious way of conducting this meeting.

Dr. Grant stated that some initial meetings have been scheduled for March 2003, to discuss atmospheric information as well as ecological effects, with the input of outside experts. Following these meetings, peer reviews of individual chapters will take place; the workgroup is compiling a list of possible reviewers. He added that experts who had been consulted in the document's preparation would not be serving as reviewers.

Dr. Miller urged the workgroup to keep the two lists (consultants and reviewers) mutually exclusive in order to avoid conflicts of interest.

Dr. Hopke added that workshop presenters are only providing information and are not involved in the preparation of the document; these individuals could therefore serve in future review panels.

Dr. Zielinska asked whether the CASAC members could receive more information on the workshops mentioned.

Dr. Grant replied that he could provide relevant information to Mr. Butterfield for distribution to the CASAC members. He added that online registration would also be available for these workshops.

Action Item

- Dr. Grant will provide information on the March workshops to Mr. Butterfield for distribution to the CASAC members.

Mr. Bob Flaak informed members that Dr. Vanessa Vu was attending a National Academy of Sciences session during this conference call, and was looking forward to joining the CASAC during its next meeting.

Dr. Hopke and other members stated that they would prefer conducting the next CASAC meeting via conference call.

Mr. Butterfield replied that he could arrange for two conference calls, if necessary, as there were two documents to review.

Dr. Grant thanked the CASAC members and public commenters for their constructive suggestions and stated that all comments would be taken into account.

Mr. Butterfield also thanked the panel, and adjourned the meeting at 12:30 P.M.

ATTACHMENTS

Attachment A:	Roster of the CASAC
Attachment B:	Meeting Agenda
Attachment C:	Federal Register Notice
Attachment D:	Public Comments: American Lung Association
Attachment E:	Public Comments: American Petroleum Institute

ATTACHMENT A

**Clean Air Scientific Advisory Committee (CASAC)
Members Fiscal Year 2003**

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SCIENCE ADVISORY BOARD STAFF

Mr. Fred Butterfield

Designated Federal Officer
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US Environmental Protection Agency
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ATTACHMENT B

**U.S. Environmental Protection Agency
Clean Air Scientific Advisory Committee (CASAC)**

**Thursday, February 6, 2003 – Public Teleconference Meeting
10:00 am - 1:00 pm Eastern Time
Ariel Rios Federal Building North – Conference Room 6013
1200 Pennsylvania Avenue, NW, Washington, DC 20460
Teleconference Call-In Number: (202) 260-8330; Access Code: 4310#**

**Teleconference Consultation on EPA's Project Work Plan for Revised
Air Quality Criteria for Ozone and Related Photochemical Oxidants**

Final Meeting Agenda

Thursday, February 6, 2003

10:00 am	Introductions and Administration	Mr. Fred Butterfield, CASAC DFO
10:10 am	Purpose of Meeting	Dr. Phil Hopke, Chair
10:15 am	Highlights of Ozone Air Quality Criteria Document Development Plan by EPA Staff, with Discussion by CASAC Members	Dr. Lester Grant, Director, NCEA/ORD
10:40 am	CASAC Members' Discussion	Dr. Hopke and CASAC
12:25 pm	Public Comment Period	Mr. Butterfield (Facilitator)
12:45 pm	Summary and Next Steps	Dr. Hopke
1:00 pm	Adjourn Meeting (time approximate)	Mr. Butterfield

ATTACHMENT C

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recommended that the Corps improve the Purpose and Need Statement, provide additional and/or revised alternatives, supply supportive information on environmental sustainability, disclose compliance with floodplain management (Executive Order 110998) and address approved flood maps, and address indirect and cumulative impacts for this proposed project.

ERP No. D-FRC-L05228-ID Rating NS, Bear River Hydroelectric Project, Application for a New License (Relicense) for Three Existing Hydroelectric Projects: Soda (FERC No. 20-019), Grace-Cove (FERC No. 2401-007) and Oneida (FERC No. 472-017), Bear River Basin, Caribou and Franklin Counties, ID.

Summary: EPA used a screening tool to conduct a limited review of the draft EIS. Based on the screen, EPA does not foresee having any environmental objections to the proposed project. Therefore, a detailed review of the draft EIS was not conducted.

ERP No. D-IBR-K39076-00 Rating EC2, Navajo Reservoir Operations, Operational Changes to Navajo Dam and Reservoir, Related Flow Recommendation, Implementation and Funding, Navajo Unit-San Juan River, NM, CO and UT.

Summary: EPA has environmental concerns with the long-term sustainability of additional water development in the Basin and urged an equitable balance of available water supplies, water supply commitments, and environmental needs. EPA strongly encouraged development of the Memorandum of Agreement to protect water released for endangered species from diversion by intervening appropriators. While EPA supports reoperation of Navajo Dam to implement the Flow Recommendations, EPA has concerns regarding water quality, mitigation, indirect and cumulative impacts, monitoring and the adaptive management plan.

ERP No. D-NOA-K91011-00 Rating EC2, 2003 Pacific Coast Groundfish Fishery, Groundfish Acceptable Biological Catch and Optimum Yield Specifications and Management Measures, Implementation, WA, OR and CA.

Summary: EPA has environmental concerns based on insufficient information on stock rebuilding, enforcement of harvest measures, relationship between federal and state groundfish fisheries, trawl vessels exemptions, indirect impacts and tribal fishing rights.

ERP No. D-SFW-K64022-CA Rating EC2, Aquatic Habitat Conservation Plan

and Candidate Conservation Agreement with Assurances to Conserve Habitat for and Mitigate Impacts on Six Aquatic Species, USFWS Enhancement of Survival Permit and an USMFS Incidental Take Permit Issuance, Humboldt and Del Norte Counties, CA.

Summary: EPA commended the approach of developing a comprehensive aquatic management strategy to address potential impacts to listed and potentially listed fish and amphibian species, but expressed specific environmental concerns related to water temperature impacts.

ERP No. D-USN-K52004-CA Rating EC2, Advanced Amphibious Assault Vehicle (AAAV) Development, Replacement and Establishment, Implementation, Del Mar Basin Area of Marine Base Corps (MCB) Camp Pendleton, San Diego County, CA.

Summary: EPA expressed environmental concerns, noting that additional mitigation may be available to potentially reduce the project's environmental impacts, including impacts to (non-ocean) surface water quality and air quality.

ERP No. DA-FAA-E40785-FL Rating EC2, Fort Lauderdale-Hollywood International Airport, Runway 9R-2FL Expansion and other Associated Improvements, New Information concerning the Predicted Number of Residents Impacted by Noise for Alternatives using 2000 Census Block Data or Field Inspection, Funding, Broward County, FL.

Summary: EPA continues to have environmental concerns with noise regarding the residences located south of the runway proposed for extension. Additional mitigation through residential acquisition over time was requested.

Final EISs

ERP No. F-COE-K39073-CA, Middle Creek Flood Damage Reduction and Ecosystem Restoration Project located between Highway 20 and Middle Creek immediately northwest of Clear Lake, Implementation, Lake County, CA.

Summary: EPA reviewed the EIS and found that the document adequately addresses the issues raised in our comment letter on the DEIS.

ERP No. F-IBR-K31003-CA, Imperial Irrigation District Water Conservation and Transfer Project and Draft Habitat Conservation Plan (HCP), Implementation and U.S. Fish and Wildlife Service Section 10 Incidental Take Permit Approval and Issuance, Colorado River, Imperial County, CA.

Summary: EPA continues to have environmental objections to the potential adverse impacts on surface

and groundwater quality, air quality and biological resources and believes these objections could be addressed by the new proposed Habitat Conservation Plan and the Salton Sea Restoration Project.

ERP No. F-IBR-K39072-00, Implementation Agreement (IA), Inadvertent Overrun and Payback Policy (IOP) and Related Federal Actions, Implementation, Quantification Settlement Agreement (QSA), Lower Colorado River, in the States of AZ, CA and NV.

Summary: EPA continues to have environmental concern with the potential cumulative impacts on water quality constituents in drinking water sources and cumulative impacts on Indian Trust assets. EPA believes these concerns could be addressed by the new proposed Habitat Conservation Plan and the Salton Sea Restoration Project.

ERP No. F-NAS-A12043-00, PROGRAMMATIC—MARS Exploration Rover—2003 (MER-2003) Project, Continuing the Long-Term Exploration of MARS, Implementation.

Summary: EPA has no objection to the proposed action.

Dated: January 21, 2003.

Joseph C. Montgomery,
Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 03-1622 Filed 1-23-03; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-7442-6]

Clean Air Scientific Advisory Committee, Notification of Public Advisory Committee Meeting; Teleconference Consultation on Project Work Plan for Revised Air Quality Criteria for Ozone and Related Photochemical Oxidants

ACTION: EPA Clean Air Scientific Advisory Committee, Notification of Public Advisory Committee Meeting; Teleconference Consultation on Project Work Plan for Revised Air Quality Criteria for Ozone and Related Photochemical Oxidants.

SUMMARY: Pursuant to the Federal Advisory Committee Act (FACA), as amended (5 U.S.C. App.), Public Law 92-463, notice is hereby given that the Clean Air Scientific Advisory Committee (CASAC) of the U.S. Environmental Protection Agency's (EPA or Agency) Science Advisory Board (SAB) will meet via teleconference on Thursday, February 6,

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2003, from 10 a.m. to 1 p.m. eastern time. This teleconference meeting will be hosted out of Conference Room 6013, U.S. EPA, Ariel Rios Federal Building North, 1200 Pennsylvania Avenue, NW., Washington, DC 20004. The meeting is open to the public; however, due to limited space, seating will be on a first-come basis. The public may also attend via telephone, however, lines may be limited. Information on how to participate is provided below.

Purpose of this Meeting: The purpose of this public teleconference meeting is for the CASAC to conduct a consultation with EPA on the Project Work Plan for Revised Air Quality Criteria for Ozone and Related Photochemical Oxidants. (Note: A full CASAC review of the first revised draft AQCD for ozone and related photochemical oxidants is scheduled to take place later this calendar year, and will be announced via a separate Federal Register notice.)

Background: EPA promulgates National Ambient Air Quality Standards (NAAQS) based on scientific information assessed in air quality criteria documents (AQCD) issued under the Clean Air Act (CAA), section 108. The CAA also requires periodic (i.e., every five years) revision of criteria and review of NAAQS. Furthermore, section 109 of the CAA directed the establishment of the CASAC (42 U.S.C. 7409). The CASAC has a statutorily-mandated responsibility under the CAA to review and offer scientific and technical advice to the EPA Administrator on the air-quality criteria and regulatory documents which form the basis for the NAAQS. The previous AQCD for ozone, published in July 1996, provided the scientific basis for EPA's promulgation, in July 1997, of a new eight-hour NAAQS for ground-level ozone.

The Project Work Plan for Revised Air Quality Criteria for Ozone and Related Photochemical Oxidants was prepared by EPA's Office of Research and Development (ORD) National Center for Environmental Assessment (NCEA), located at Research Triangle Park (RTP), NC. The plan presents information on EPA's approach to assessing the latest available scientific information to be incorporated into a revised Ozone AQCD, identifies key issues to be addressed in the Ozone AQCD, and includes brief summaries of legislative requirements and the history of previous ozone criteria revisions and NAAQS reviews. ORD will prepare a draft revised Ozone AQCD and subject it to review at expert peer-review workshops, by the public, and by the CASAC.

The main purpose of the forthcoming revised AQCD for Ozone and Related Photochemical Oxidants is to critically evaluate and assess the latest scientific knowledge useful in indicating the kind and extent of all identifiable effects on public health and welfare which may be expected from the presence of these pollutants in the ambient air. ORD will place emphasis on assessment of health and environmental effects information. Other scientific information will also be evaluated, in part to provide a better understanding of key issues such as those associated with ozone photochemistry; issues on environmental ozone concentrations attributable to anthropogenic and background sources; and issues related to the health and environmental effects associated with changes in solar UV radiation and global warming, as mediated by changes in tropospheric ozone. The final Ozone AQCD document will be used by EPA's Office of Air Quality Planning and Standards (OAQPS) in its review of the Ozone NAAQS.

FOR FURTHER INFORMATION CONTACT: To participate in this meeting, contact Mr. Fred Butterfield, CASAC Designated Federal Officer, U.S. EPA Science Advisory Board (1400A), Suite 6450CC, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; telephone/voice mail at (202) 564-4561; fax at (202) 501-0582; or via e-mail at: butterfield.fred@epa.gov. Members of the public desiring additional information about the meeting locations or the call-in number for the teleconference must contact Mr. Butterfield at the addresses and numbers identified above.

Submitting Public Comments: The CASAC will make a brief period of time available during the teleconference meeting to take public comments on the subject of the consultation. This oral public comment period will be no more than 15 minutes in length and will be divided among all speakers who register in advance. Registration is on a first-come basis. Speakers who have been granted time on the agenda may not yield their time to other speakers. Those wishing to speak but who are unable to register in time may provide their comments in writing. Requests for oral comments must be in writing (e-mail, fax or mail) and received by Mr. Butterfield at the address above no later than noon eastern time on February 4, 2003.

Availability of Review Material: There is only one document that is the subject of the CASAC consultation: NCEA's Project Work Plan for Revised Air

Quality Criteria for Ozone and Related Photochemical Oxidants. This document is available electronically at the following URL address: <http://cfpub.epa.gov/ncea/cfm/recordisplay.cfm?deid=55125>. For information and any questions pertaining to the review document, please contact Mr. James Raub, NCEA-RTP, via telephone: (919) 541-4157; fax: 919-541-1818; or e-mail: raub.james@epa.gov.

Providing Oral or Written Comments:

It is the policy of the EPA Science Advisory Board to accept written public comments of any length, and to accommodate oral public comments whenever possible. The EPA Science Advisory Board expects that public statements presented at its meetings will not be repetitive of previously-submitted oral or written statements. Specific instructions are as follows:

Oral Comments: In general, each individual or group requesting an oral presentation at a face-to-face meeting will be limited to a total time of 10 minutes (unless otherwise indicated above). For teleconference meetings, opportunities for oral comment will usually be limited to no more than three minutes per speaker and no more than 15 minutes total (unless otherwise indicated above). Deadlines for getting on the public speaker list for a meeting are given above. Speakers who plan to attend the teleconference meeting in person should bring at least 25 copies of their comments and presentation slides for distribution to the reviewers and public at the meeting.

Written Comments: Although the SAB accepts written comments until the date of the meeting, written comments are requested to be provided so that they will be received in the SAB Staff Office at least one week prior to the meeting date, in order for the comments to be made available to the reviewers at the meeting for their consideration. Comments should be supplied to the appropriate DFO at the address/contact information noted above, as follows: one hard copy with original signature and one electronic copy via e-mail (acceptable file formats: Adobe Acrobat [.pdf], WordPerfect or MS Word). Those providing written comments who also attend the meeting are requested to bring 25 copies of their comments for public distribution.

Meeting Access: Individuals requiring special accommodations at this meeting, including wheelchair access to the conference room, should contact Mr. Butterfield at least five business days prior to the meeting (i.e., by Thursday, January 30) so that appropriate arrangements can be made.

General Information: The SAB was statutorily established in 1978 (42 U.S.C. 4365) to provide independent scientific and technical advice, consultation, and recommendations to the EPA Administrator on the technical basis for Agency positions and regulations. Additional information concerning the EPA Science Advisory Board, including its structure, function, and composition, may be found on the EPA SAB Web site at: <http://www.epa.gov/sab>; and in the EPA Science Advisory Board FY2001 Annual Staff Report, which is available from the EPA SAB Publications Staff at phone: (202) 564-4533; via fax at: (202) 501-0256; or on the SAB Web site at: <http://www.epa.gov/sab/annreport01.pdf>.

Dated: January 16, 2003.

A. Robert Flaak,

Acting Deputy Director, EPA Science Advisory Board Staff Office.

[FR Doc. 03-1628 Filed 1-23-03; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-7442-7]

Good Neighbor Environmental Board Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of meeting.

SUMMARY: The next meeting of the Good Neighbor Environmental Board, a federal advisory committee that reports to the President and Congress on environmental and infrastructure projects along the U.S. border with Mexico, will take place in Washington, D.C. on February 18 and 19, 2003. It is open to the public.

DATES: On February 18, a special half-day session called "Border Environmental Forecast 2003" will begin at 9 a.m. (registration at 8:30 a.m.) and end at 12 noon, followed by the Board's Strategic Planning Session from 2 p.m. to 5:30 p.m. On February 19, the Board will hold its routine business meeting from 8 a.m. to 12 noon. A pre-meeting orientation session for new members will take place from 4-6 p.m. on February 17.

ADDRESSES: The meeting site is the Hotel Washington located at the corner of 15th St. NW. and Pennsylvania Ave. (515 15th Street, NW., Pennsylvania Ave.) Washington, DC 20004.

The closest metro is Metro Center (on the Red Line).

FOR FURTHER INFORMATION CONTACT:

Elaine M. Koerner, Designated Federal Officer for the Good Neighbor Environmental Board, Office of Cooperative Environmental Management, Office of the Administrator, USEPA, MC1601A, 1200 Pennsylvania Ave. NW., Washington, DC 20004, (415) 972-3437, koerner.elaine@epa.gov.

Meeting Access: Individuals requiring special accommodation at this meeting, including wheelchair access to the conference room, should contact the Designated Federal Officer at least five business days prior to the meeting so that appropriate arrangements can be made.

SUPPLEMENTARY INFORMATION: Agenda:

The Border Environmental Forecast 2003 seminar is one of three activities scheduled for February 18 and 19. This three-hour expert Forecast seminar will begin at 9 a.m. (registration at 8:30 a.m.) and conclude at noon. In keeping with a similar session hosted last year, two panels of border-region experts will forecast the most pressing environmental challenges the border region will face in the year ahead. Immediately following the seminar, from 12 to 12:30 p.m. a public comment session will take place. During the afternoon of February 18, the Board will hold its annual Strategic Planning Session; a Road Map for the year ahead and criteria for measuring its effectiveness are among the products to be developed. The following morning, February 19, the Board will hold a routine business meeting. All of these activities are open to the public.

Public Attendance: The public is welcome to attend all portions of the meeting. Members of the public who plan to file written statements and/or make brief (suggested 5-minute limit) oral statements at the public comment session are encouraged to contact the Designated Federal Officer for the Board prior to the meeting.

Background: The Good Neighbor Environmental Board meets three times each calendar year at different locations along the U.S.-Mexico border and also holds an annual strategic planning session. It was created by the Enterprise for the Americans Initiative Act of 1992. An Executive Order delegates implementing authority to the Administrator of EPA. The Board is responsible for providing advice to the President and the Congress on environmental and infrastructure issues and needs within the States contiguous to Mexico in order to improve the quality of life of persons residing on the United States side of the border. The

statute calls for the Board to have representatives from U.S. Government agencies; the governments of the States of Arizona, California, New Mexico and Texas; and private organizations with expertise on environmental and infrastructure problems along the southwest border. The U.S. Environmental Protection Agency gives notice of this meeting of the Good Neighbor Environmental Board pursuant to the Federal Advisory Committee Act (Public Law 92-463).

Dated: January 13, 2003.

Oscar Carrillo,

Acting Designate Federal Officer.

[FR Doc. 03-1627 Filed 1-23-03; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Submitted to OMB for Review and Approval

January 13, 2003.

SUMMARY: The Federal Communications Commissions, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Written comments should be submitted on or before February 24, 2003. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ATTACHMENT D

Fran Du Melle
Executive Vice President

Washington Office
1726 M Street, NW
Suite 902
Washington, DC 20036-4502
Phone: (202) 785-3355
FAX: (202) 452-1805
Internet: <http://www.lungusa.org>

National Headquarters:
1740 Broadway
New York, NY 10019-4374

John L. Kirkwood
President and Chief Executive
Officer

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February 15, 2002



Mr. James Raub
Project Manager for Ozone Project Work Plan
National Center for Environmental Assessment- RTP Office MD-52
Office of Research and Development
U.S. Environmental Protection Agency
Research Triangle Park, NC 27711

Re: "Project Work Plan for Revised Air Quality Criteria for Ozone and Related
Photochemical Oxidants"
66 Fed. Reg. 67524 (Dec. 31, 2001)

Via Email: raub.james@epa.gov

Dear Mr. Raub:

The American Lung Association (ALA) offers these comments on EPA's "Project Work Plan for Revised Air Quality Criteria for Ozone and Related Photochemical Oxidants," NCEA-R-1068, December 2001, First External Review Draft.

Section 109(d) of the Clean Air Act requires EPA to review the National Ambient Air Quality Standards (NAAQS) and air quality criteria for criteria air pollutants at intervals of no more than five years, and to revise the criteria and standards (and promulgate new standards) as appropriate to protect public health with an adequate margin of safety. The D.C. Circuit has held that this statutory provision prescribes a "bright-line rule" for EPA action:

The 1990 amendments did not alter the section of the Clean Air Act that provides for setting and revising primary and secondary NAAQS. See 42 U.S.C. § 7409. The Administrator, therefore, still must "at five-year intervals [from December 31, 1980] ... complete a thorough review of ... the [NAAQS] promulgated under this section and ... make such revisions in such ... standards ... as may be appropriate." Id. § 7409(d)(1). The Second Circuit held that this section continues to "set[] forth a bright-line rule for agency action," American Lung Ass'n v. Reilly, 962 F.2d 258, 263 (1992), and we agree. Nothing in the Act modifies this "bright-line rule" or otherwise makes it inapplicable to revision of the ozone NAAQS.

American Trucking Assns. v. USEPA, 175 F.3d 1027, 1047 (D.C. Cir. 1999), rehearing granted in part on other grounds, denied in part, 195 F.3d 4 (D.C. Cir. 1999), rev'd in part on other grounds, aff'd in part sub nom. Whitman v. American Trucking Assns., 531 U.S. 457 (2001).

Mr. James Raub
February 15, 2002
Page 2 of 3

The reason for this requirement is clear: Congress wanted to establish a periodic review of the air quality criteria and standards in order to ensure that both reflect the latest scientific advances on the health effects of air pollution to assure protection of public health.

Because the ozone NAAQS were last revised on July 18, 1997 (62 FR 38856), the five-year deadline for completion of EPA's standards review (including proposal and promulgation of any new and/or revised NAAQS) expires no later than July 18, 2002. The deadlines for completion of EPA's air quality criteria review, and of CASAC's review of both the criteria and standards, have already expired.¹

Nonetheless, in violation of its "bright-line" statutory duty, EPA proposes a timetable that extends well beyond the July 18, 2002 deadline -- indeed, extends nearly two years beyond it simply to produce a draft criteria document, and does not even propose any timetable for proposed and final rulemaking actions concerning ozone NAAQS. See Draft Work Plan at 5 (Table 2).

Given that the current review of the ozone standard and criteria has fallen far behind the statutory schedule, it is now incumbent upon EPA to develop an accelerated work plan for completion of that review. The proposed schedule in Table 2 of the draft Work Plan fails to do so, instead representing a "business as usual" approach that does not even include all the steps needed to conclude this review cycle.

Thus far, the ozone review has taken a back seat to review of the particulate matter criteria and standards. The Act, of course, does not allow this approach. Because the PM and ozone NAAQS were both promulgated on July 18, 1997, the five-year deadline for completion of EPA's standards review for each of these two pollutants expires on July 18, 2002 (and the deadlines for completion of EPA's criteria review and of CASAC's criteria and standards reviews for each pollutant have already expired). EPA is not free to ignore the statute and decide it will perform only some of its statutory obligations.

In any event, with the preparation of the final draft of the PM Criteria Document now nearing completion, we urge EPA to accelerate substantially the proposed schedule for the ozone Criteria Document. For instance, the CASAC public review meeting on the First External Review Draft of the

1 Given that the previous air quality criteria were finalized in July 1996, EPA's five-year § 109(d)(1) deadline to review and revise the criteria expired no later than July 2001. As for CASAC, its deadlines to complete review of the criteria and NAAQS and make recommendations to EPA concerning revised criteria and standards fall due under § 109(d)(2)(B) one year before EPA's § 109(d)(1) deadline. Accordingly, CASAC's deadlines with reference to both the ozone criteria and standards have already expired.

If on the other hand, the statutory deadlines fall due not (as EPA has claimed) at five-year intervals from the prior action, but rather at fixed five-year intervals from January 1, 1980, and December 31, 1980, the EPA and CASAC deadlines have likewise already expired. Specifically, they expired no later than January 1, 2000 (for CASAC), and December 31, 2000 (for EPA).

Mr. James Raub
February 15, 2002
Page 3 of 3

CD can occur much sooner than five months after the publication of the report, as proposed. Other steps can likewise be substantially accelerated.

In addition, the Work Plan schedule must extend beyond publication of the final Criteria Document to include other steps in the standards review process, up to and including proposal and finalization of a regulatory decision (including proposal and promulgation of new and/or revised NAAQS as appropriate).

EPA's past delays have poised the agency to violate the July 18, 2002 standards review deadline, and have already caused violations of the agency's criteria review deadline (and of CASAC's criteria and standards review deadlines). The dilatory approach presented in the proposed Table 2 simply compounds these unlawful delays, instead of putting an end to them as the agency is legally required to do. We urge EPA to promptly adopt a schedule for expeditious completion of the ozone NAAQS review.

Sincerely,
/signed/

Joseph Bergen
Senior Vice President
& Chief Operating Officer

ATTACHMENT D (cont'd)

Anthony J. DeLucia, Ph.D.
Chair

William M. Voigt
Chair-elect

Judge Cordell D. Meeks, Jr.
Past-Chair

Charles M. Heinrich
Vice-Chair

Imajean Heatherington, CPA
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January 30, 2003



Mr. Fred Butterfield
CASAC Designated Federal Officer
U.S. EPA Science Advisory Board (1400A)
Suite 6450CC
1200 Pennsylvania Ave. NW
Washington, DC 20460

Via Email: butterfield.fred@epa.gov
Cc: raub.james@epa.gov

Dear Mr. Butterfield:

The American Lung Association offers these comments on EPA's November 2002 "Project Work Plan for Revised Air Quality Criteria for Ozone and Related Photochemical Oxidants," CASAC Review Draft.

Attached please find the American Lung Association's February 15, 2002 comments on the First External Review Draft of the Ozone Work Plan. Also attached is a January 27, 2003 "Annotated Bibliography of Recent Studies of the Health Effects of Ozone Air Pollution 1997-2002" prepared by the American Lung Association.

Please distribute these comments and the two attachments to CASAC members prior to the February 6, 2003 teleconference meeting.

Since EPA's last review of the ozone standard, significant scientific progress has been made in understanding the health effects of ozone. Despite the fact that federal research funds have been targeted almost exclusively to particulate matter, hundreds of new studies on ozone health effects have been published since the completion of EPA's last ozone Criteria Document in 1996. The new research has deepened our understanding of the adverse pulmonary effects of ozone and raised new concerns about remodeling of the airways, slowed rates of lung function growth in children, and asthma causation and exacerbation. There is increasing information from epidemiological studies on the effect of ozone on health endpoints ranging from school absenteeism to hospital admissions to premature mortality. A few studies have

Mr. Fred Butterfield
January 20, 2003
Page 2 of 3

been published pointing to ozone air pollution as an agent in brain damage, birth defects, and other disorders.

Several dozen of the most interesting studies of the health effects of ozone that have been published since EPA's last review are briefly summarized in the attached annotated bibliography.

Section C.4 of the Work Plan, "Specific Health Effects Issues Related to Ozone," makes a good effort to identify the key issues but it needs to be broadened to needs to include discussion of the effects suggested by these new studies.

Similarly, the "Proposed Contents" of the Criteria Document needs to be expanded to ensure discussion of the full range of health endpoints reported in the recent scientific literature.

In addition, we urge EPA to update and expand its list of outside consultants that will be invited to serve as contributors or reviewers of the Criteria Document to include some of the primary authors of the studies listed in our bibliography. To cite just one obvious omission, we do not find any authors of the California Children's Health Study on the list. The quality of the final document will be enhanced by an inclusive approach.

We have a number of concerns with respect to the timeline proposed in the work plan, particularly in light of the serious health effects suggested by the recent studies.

The statutory deadlines for the completion of the Criteria Document and the review of the ozone standard have now both passed.

As we pointed out in our February 15, 2002 comments, it is incumbent upon EPA to develop an accelerated work plan for the completion of the ozone review. We urge you to tighten the proposed schedule for development of the Criteria Document, and the other steps in the standards review process such as development of the Staff Paper, proposal, and finalization of the rule in the work plan schedule.

Thank you for your consideration.

Sincerely,



John L. Kirkwood
President and Chief Executive Officer

Attachments

ATTACHMENT E



1220 L Street, Northwest
Washington, DC 20005-4070
Tel 202 682-8262
Fax 202 682-8270
E-mail ollisonw@api.org

Will M. Ollison
Senior Scientist

Via US mail and email

January 31, 2003

Mr. Fred Butterfield
CASAC Designated Federal Officer,
U.S. EPA Science Advisory Board (1400A), Suite 6450CC
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Mr. Butterfield:

This letter is sent in response to EPA notice [68 FR 6527-9 (January 24, 2003)] of the February 6, 2003 Clean Air Advisory Committee (CASAC) teleconference consultation on Project Work Plan for Revised Air Quality Criteria for Ozone and Related Photochemical Oxidants and call for public comments. The Plan presents information on EPA's approach to assessing the latest available scientific information to be incorporated into a revised Ozone Air Quality Criteria Document (AQCD), identifies key issues to be addressed in the Ozone AQCD, includes brief summaries of legislative requirements, and the history of previous ozone criteria revisions and NAAQS reviews. The American Petroleum Institute (API) is a national trade association with over 400 companies involved in all aspects of the oil and natural gas industry. API members own and operate major stationary sources and produce fuels for mobile sources that may be directly impacted by ozone national ambient air quality standard (NAAQS) nonattainment area designations and implementation plans to bring those areas into attainment. Accordingly, our members have a vested interest in appropriate standards, compliance designations, and implementation plans of the ozone NAAQS.

API urges EPA to modify the Plan approach to ensure the Ozone AQCD should compile and assesses available information pertinent to the conduct of a reliable ozone quantitative risk assessment. This modification of the Plan is essential to assure that where uncertainty remains after reviewing the impacts of ozone, public health policy judgments used to select an ozone standard will be based on the best available scientific information.

For example, during the last ozone rulemaking, CASAC and the Agency recognized that EPA's risk assessments must play a central role in identifying an appropriate level and form of the standards [61 FR 65727 (Dec 13, 1996)]. Moreover, in proposing and promulgating the O₃ NAAQS the Administrator noted that for pollutants such as O₃, that have no discernible thresholds for health effects, a zero risk standard is neither possible nor required by the Act and that the selection of a specific standard for such pollutants requires public health policy judgments in addition to determinations of a strictly scientific nature [62 FR 38867 (July 18, 1997)].

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The Administrator based the 1997 revised standard on risk analysis projections of decreases in lung function and pain on deep inspiration in a relatively small percentage of outdoor children estimated to experience such effects, noting that the differences in these percentages between the 0.08 and 0.09 ppm standards under consideration represented tens of thousands more children and hundreds of thousands more occurrences of adverse effects in these children in the nine urban areas assessed [62 FR 38868]. Given her reliance on these quantitative risk estimates, it is reasonable to assume that the Administrator might have exercised her judgment and chosen differently had the difference between the projected risks of the standards under consideration been less.

The modification sought by API calls for the Plan to prioritize the importance of risk assessment input parameters on the basis of sensitivity analyses and 'reverse-engineer' its approach to the Ozone AQCD to ensure that information from issue areas most important to quantitative risk assessment is included. During the previous ozone standard review, API evaluated the overall impact of numerous questionable exposure and response assumptions through sensitivity testing and found that modeled risks were overestimated by orders of magnitude. A summary of these testing results may be found at pages 17-24 and 29-35 of the attached comments.

For example, a key element of ozone quantitative risk assessment is the population characteristic of breathing rate behavior (e.g., levels, durations, motivations, & locations) since without elevated ventilation there is no clinical response to ambient ozone level exposure. The capability and motivation to maintain prolonged exercise at high ventilation rates outdoors actually defines the most susceptible group for ozone. As a consequence, it is vital to know (1) the fraction of the population by age who are physically fit enough to reach high ventilation levels, (2) the fraction motivated to sustain such exertion for six or more consecutive hours per day, (3) the fraction exercising to this degree outdoors, (4) the number of days per week on average such activity occurs, and (5) the diurnal & seasonal timing of such efforts.

Accordingly, the Plan should employ behavioral experts in high priority issue areas identified by risk model sensitivity tests to ensure that the Ozone AQCD contains appropriate input for use by Agency analysts.

Other key elements of the ozone risk assessment that API urges the Agency to include in the Plan are the assessment of ozone background levels, health effects related to the diurnal ozone exposure pattern as compared to a daily averaged exposure (i.e., square wave), the rollback methodology for estimating ambient concentrations under the standard, and issues related to attaining a standard given the atmospheric properties and chemistry of ozone.

We believe the inclusion of these additional key issues in the Plan, and subsequently in the ozone AQCD will greatly enhance its value in the regulatory process.

Sincerely,

Will Ollison /HJF